

B. John Pendleton, Jr.
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June 30, 2006

VIA FAX

Donna L. Humanik
Behrend & Ernsberger, P.C.
Union Bank Building
306 Fourth Avenue, Suite 300
Pittsburgh, PA 15222

Re: *Gonda v. Metropolitan Life Insurance Co., et al.*
Civil Action No. 00-2286

Dear Ms. Humanik:

This letter is in reference to your conversation today with my Associate, James Van Splinter, in which you requested an extension of time to provide plaintiff's proposed Jury Instructions and Verdict Slip, due to the illness of Mr. Miller. As you know, the June 30, 2006 deadline for joint proposed Jury Instructions and Verdict Slip was set by Order of the Court dated May 16, 2006. Therefore, any extension must be approved by the Court. Defendants have no objection to a one-week extension of time to file joint proposed Jury Instructions and a Verdict Slip. We will file defendants' proposed Jury Instructions and Verdict Slip today, but will advise the Court that we do not object to your request for a seven-day extension of the deadline.

In the event the Court grants an extension, we request only that you provide us with plaintiff's proposed jury instructions and verdict slip by close of business on July 5, 2006, so as to provide us a reasonable time to prepare the joint filing.

Very truly yours,

B. John Pendleton, Jr.
BJP/jvs

cc: Hon. Donetta W. Ambrose, Chief Judge – via fax
bcc: Gladys Xiques, Esq. – via fax & reg. mail